



# PEDDLER and SOLICITOR LICENSE APPLICATION FOR-PROFIT ORGANIZATIONS

Community Development – Licensing  
Attn: Fiona Golden  
14600 Minnetonka Blvd  
Minnetonka, MN 55345  
Phone: (952) 939-8274  
Email: [fgolden@minnetonkamn.gov](mailto:fgolden@minnetonkamn.gov)

Below is a checklist of items that need to be completed and/or submitted to the city with your application for a Peddler/Solicitor License for a For-Profit Organization in the City of Minnetonka.

- 1. Complete the application form (2 pages).
  - a. One application form per person.
  - b. Do not leave any lines blank – if question does not apply, write a “N/A” for not applicable.
  - c. To apply, you must have a current, valid, state issued identification card, driver’s license, tribal card, or passport.
  - d. Application must be signed in front of a notary and notarized. (Notaries are available at City Hall.) Applicants, by signing, are agreeing to a police background check.
  - e. Any falsification of answers on the application form can result in denial of the application.
- 2. Photos for your identification badge will be taken at Minnetonka City Hall for no additional charge.
- 3. A copy will be made of your driver’s license, state identification card, tribal card, or passport.
- 4. Attach copies of all materials that you will be handing out or displaying to residents.
- 5. The company (the employer) must complete both the MN tax and workers comp forms enclosed.
- 6. Non-Refundable Fee: \$150 for each applicant

Make checks payable to the City of Minnetonka or we accept Visa, MasterCard, and Discover.

## PROCESSING:

1. The city will try to complete processing within your time schedule but may require up to 5 business days.
2. The police department is asked to do a background check of each applicant.
3. An identification badge is prepared with the information from the application form (must be worn on outermost clothing at all times when peddling/soliciting in Minnetonka).
4. You or your supervisor will receive a phone call within 5 days confirming (or denying) an approval for the license.



# Peddler & Solicitor License Application For-Profit Applicants

<b>Office Use Only:</b>
Date Received _____
Approved or Denied _____

This application form requests information which may be classified as private or confidential under the Minnesota Data Practices Act. This information is required by State law or City ordinance. Failure to provide accurate information can result in a denial of the license.

### Applicant Information

Name		Email Address	
Address			Phone Number
Aliases or Maiden Name	Social Security Number		Date of Birth
State Driver's License number or State Issued ID Card number or Tribal Identification Card number		State where the license/ID was issued	
<b>OR</b> Passport information and visa status if applicant is not a United States citizen			
Have you ever been convicted of any crime – other than petty traffic violation?	<input type="checkbox"/> No		
	<input type="checkbox"/> Yes	If yes, explain below the nature, date, and location of the offense(s). Also state the punishment or penalty imposed.	
Have you applied for and been rejected, or received a peddler, solicitor, or canvassers license/permit and had it suspended or revoked within the state of Minnesota in the past three years?	<input type="checkbox"/> No		
	<input type="checkbox"/> Yes	If yes, list and explain below:	

### Employer Information

Company Name		Phone Number	
Company Address			Website
Supervisor's Name		Supervisor's Email Address	
What product or service are you selling?			

List below all the cities (or addresses within a larger city), where you or your company conducted business immediately preceding this application (maximum of 5), including the year that you were in these cities:	
List below the dates in which you will be soliciting in Minnetonka:	
Dates	
Days of the week	
Time on each day	
List below the vehicle information for the proposed activity:	
Year, Make, Model and Color of Vehicle(s)	
License Plate Number(s) & State	

**You must sign below in front of a Notary Public. Notary Publics are available at City Hall.**

I hereby authorize the City of Minnetonka to have access to all sources of information that may be consulted to verify the information I have provided above. This includes authorization to check criminal history records if I have been asked to provide that information.

I agree to operate such business in accordance with the laws of Minnesota and the ordinances of the City of Minnetonka. The foregoing statements are true and correct to the best of my knowledge and belief.

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Signature of Applicant

Date

Subscribed and sworn to before a Notary Public on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_ My commission expires on \_\_\_\_\_.  
 (Notary Signature)

Notary Seal:

## **MINNESOTA BUSINESS TAX IDENTIFICATION LAW**

Pursuant to Minnesota Statute 270C.72 (Tax Clearance; Issuance of Licenses), Subd.4, the licensing authority is required to provide, upon request of the Minnesota Commissioner of Revenue, either the applicant's Minnesota business tax identification number with the business name and address – or the social security number of the primary officer, along with their complete name, home address, and home phone number.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we are required to advise you of the following regarding the use of this information:

1. This information may be used to deny the issuance or renewal of your license in the event you owe Minnesota sales, employer's withholding, or motor vehicle excise taxes.
2. Upon receiving this information, the licensing authority will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Agreement, the Department of Revenue may supply this information to the Internal Revenue Service.
3. Failure to supply this information may jeopardize or delay the processing of your license issuance or renewal application.

<b>NAME UNDER WHICH THE MN TAX ID IS FILED (<u>licensee name</u>)</b>			<b>Type of license applying for:</b>	
			<b>Peddler/Solicitor</b>	
<b>Licensee: Address</b>	<b>L City</b>	<b>L State</b>	<b>L Zip</b>	<b>L Phone</b>
<b>Establishment: Name</b>			<b>Minnetonka License Number (completed by Minnetonka)</b>	
<b>Establishment: Address</b>	<b>E City</b>	<b>E State</b>	<b>E Zip</b>	<b>E Phone</b>
<b>Minnesota Tax Identification Number</b>		<b>Federal Tax Identification Number</b>		

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### **INSTRUCTIONS FOR BOXES BELOW:**

1. **If all boxes above are completed**, including both the Minnesota and Federal Tax numbers, no additional information is required by the MN Department of Revenue below.
2. **However, if all boxes above are not completed**, Minnesota law requires personal information about the primary owner or primary officer. In this case you must complete all boxes below, including the owner or primary officer's social security number, home address, and home phone. (NOTE: If the business and home address are the same, please check the box indicating this.)

<b>Applicant's (person's) name (LAST, first, middle initial)</b>		<b>Social Security Number</b>
<b>Home address</b>	<b>Home City, State, Zip code</b>	<b>Home Phone number</b>
<input type="checkbox"/> <b>Check if address is for both home &amp; business</b>		

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# Certificate of Compliance Minnesota Workers' Compensation Law

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

**A valid workers' compensation policy must be kept in effect at all times by employers as required by law.**

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
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DBA (doing business as name – local establishment name – only if different than above)

DBA/LOCAL BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
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**YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION.  
You must complete number 1, 2 or 3 below.**

**NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:**

WORKERS COMPENSATION INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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**NUMBER 2 COMPLETE THIS PORTION IF YOU ARE SELF-INSURED:**

I have attached a copy of the permit to self-insure.

**NUMBER 3 COMPLETE THIS PORTION IF YOU ARE EXEMPT:**

I am not required to have workers' compensation insurance coverage because:

- I have no employees.
- I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: \_\_\_\_\_.
- Other: \_\_\_\_\_

**ALL APPLICANTS COMPLETE THIS PORTION:**

**I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.**

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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**NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.**

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

## **SECTION 630. PEDDLERS AND SOLICITORS.**

### **630.005. Definitions.**

Unless the context clearly indicates otherwise, the words below are defined for the purpose of this section as follows:

1. "Peddler" includes a person who goes from place to place on residential property exhibiting merchandise for sale, making sales, and delivering articles to purchasers.
2. "Solicitor" includes a person who goes from place to place on residential property soliciting orders for the sale of merchandise or personal services for future delivery or future performance, whether or not the person has a sample of the merchandise or is collecting advance payments for the orders. The word also includes activity that has as its ultimate purpose the obtaining of orders even though it may not initially purport to do so, but does not include soliciting donations for non-profit entities.
3. "Regulated activity" means the activity of a peddler and solicitor as defined above. The term only includes activities that involve the sale of a product or service. It does not include activities that involve only statements of opinion or belief or that request only a donation.
4. "Licensee" means an individual, partnership, corporation or association licensed within the city under this section and also includes a person who is or will be conducting the regulated activity on behalf of the licensee.
5. "Person" has the same meaning as defined in section 1305.005.
6. "Non-profit" means an organization that currently has tax-exempt status from either the state or federal government and provides written evidence of that status.
7. "Occupant" means a person living, staying, or working at a residence, including a guest.

### **630.010. Regulation Established.**

A person engaging in a regulated activity within the city must comply with the provisions of this section. The person must also comply with any applicable zoning and health regulations.

### **630.015. License Required.**

A person engaging in a regulated activity within the city must first obtain a license and an identification card from the community development department.

### **630.020. Exceptions.**

A person engaging in the following activities is not required to obtain a license and an identification card from the city:

1. selling personal property at wholesale to dealers of the articles;
2. selling newspapers;
3. selling products of the farm or garden grown or raised by the seller, including meat, but such activities must comply with applicable health regulations;
4. selling antiques, collectibles, or other products in a show or festival which lasts for five days or less and which involves two or more sellers or exhibitors;

5. calling upon residents in connection with a regular route service for the sale and delivery of perishable daily necessities of life such as bakery products and dairy products. This exception does not relieve that person of the duty to comply with other applicable city requirements; or
6. soliciting money, donations or financial assistance for a political, religious or non-profit tax-exempt organization, or selling or distributing literature or merchandise for which a fee is charged or solicited on behalf of such an organization.

### **630.025. Ineligible People.**

The following people are not eligible for a license and identification card from the city:

1. A person whose license and/or identification card for regulated activity was revoked by the city or another governmental body within three years before the application date;
2. A person who has been denied a license for regulated activity by the city or another governmental body because of circumstances that occurred within three years before the application date;
3. A person who has violated, or whose representative has violated, a provision of this section within three years before the application date, or who violates a provision of this section during the application period pending issuance of the license;
4. A person who has been convicted within three years before the application date of a crime that adversely reflects on the person's ability to honestly, safely, or lawfully conduct the regulated activities, unless the individual can show sufficient evidence of rehabilitation as defined in Minn. Stat. § 364.03, subd. 3; or
5. A person who has falsified information, or omitted material information, required by this section.
6. A person who produces documentation of identification that is torn, pasted, peeled, or otherwise damaged or altered.

### **630.030. Application.**

Application for a license must be made at least five working days before the regulated activity is proposed to begin and must include an accurate, sworn statement in writing, on a form furnished by the city, that gives the information listed below and includes the required supporting documentation:

1. name and physical description of the applicant;
2. complete home and local address of the applicant;
3. a brief description of the proposed activity, its location, and the merchandise or service involved;
4. the dates and hours of the day during which the activity will be conducted;
5. name, address, and phone number of the person on whose behalf the orders are solicited, together with credentials establishing the applicant's relationship to the person;
6. the source of supply of merchandise proposed to be sold, where the goods are located at the time the application is filed and the proposed method of delivery;
7. whether or not the applicant has been convicted of any crime other than petty traffic violations, the nature, time and location of the offense and the punishment or penalty imposed;

8. the last cities or other localities, not exceeding five, where the applicant conducted the proposed activity immediately preceding the date of the application and where within those areas the activity took place;
9. make, model, year, color, and state license number of each motor vehicle to be used in connection with the proposed activity;
10. social security number, date of birth, and drivers license or state or tribal identification card number;
11. passport information and visa status if the applicant is not a united states citizen;
12. the name, address, and phone number of the person or company employing the individual, if different from the information in sub-paragraph 5 above; and
13. a copy of all documents to be used by the applicant in the regulated activity.

#### **630.035. Photographs.**

Each individual applicant and person who will be conducting the regulated activity on behalf of the partnership or organizational applicant must submit two copies of a recent photograph of themselves approximately 1½ inches by 1½ inches, showing the head and shoulders of the person in a clear and distinguishable manner. An application is not complete until the required photographs are supplied.

#### **630.040. Fees, Duration.**

The application must be accompanied by the required license and identification card fees specified in section 710. A license or identification card is valid only for the calendar year in which it is issued. The fees are for a one year period and will not be prorated for periods less than one year. No fees are required of individuals taking orders for the shipment of goods through interstate commerce.

#### **630.045. Investigation, Issuance, Denial.**

1. Within five working days after the application, the police department and the community development department will conduct an investigation regarding the information provided in the application and the eligibility for a license and identification card. The community development director will issue a license and identification card only to eligible people. Each identification card will include a copy of the person's photograph.
2. The community development director may not issue a license or identification card if there are circumstances indicating that the intended recipient may not honestly, lawfully, and safely conduct the proposed regulated activity. The director must notify an applicant in writing of a denial of a license and/or identification card, specifying the reasons. The director must comply with the provisions of Minn. Stat. chapter 364 if the denial is based in whole or in part upon prior criminal convictions. The applicant may appeal the denial by submitting to the director a written request within ten days after the denial asking to address the city council. The city council may refer the matter to an independent hearing officer or may consider the appeal itself. The city council or hearing officer may deny a license and/or identification card when it/he/she believes such action will protect the public health, safety, or welfare.

#### **630.050. Standards of Conduct.**

1. Except for those people specified in section 630.020, a person may conduct regulated activity in the city only if a valid city identification card identifying the person has been issued, is prominently displayed by attaching it to the front of the outermost clothing between the waist and neck, and has not been revoked, suspended, or impounded.
2. A licensee must not transfer its license or identification card to another person.

3. A person must not use a city identification card issued to someone other than that person.
4. A city identification card must be displayed only while conducting regulated activity in the city and must be used for no other purpose and in no other location.
5. A person conducting regulated activity must not go onto private property for that purpose when there are signs prominently posted indicating that trespassing and/or solicitation is unwelcome or prohibited.
6. A person must not be on a street, highway, or adjacent boulevard and direct regulated activity toward the occupants of any motor vehicle in transit and must not obstruct the free flow of vehicular or pedestrian traffic on any public street, sidewalk, or other public right-of-way.
7. A person must not conduct regulated activity in a manner that creates a health or safety hazard.
8. A person must conduct regulated activity in a reasonably courteous manner at all times, must not engage in offensive, obscene, or abusive language, must not push open a door not opened by an occupant, must not place any portion of the person's body through an opened doorway without the invitation of an occupant, and must not physically attempt to stop an occupant from closing a door
9. A licensee must immediately leave private property when requested to do so by an occupant or owner and must leave immediately upon completion of a transaction or an unsuccessful attempt to contact an occupant,
10. A licensee entering onto residential property must go directly to a door of the house, unless there is an adult present outside of the house or in an open garage. At no time may a licensee go to a window or to the back yard, unless invited to do so by the occupant.
11. A person conducting regulated activity must not make untrue statements to the people contacted regarding the purpose of the contact, orders placed by the neighbors, or the goods and services offered.
12. A licensee must not make statements to the people contacted indicating or implying that the city identification card constitutes an endorsement of their activities or products by the city.
13. While conducting regulated activity, a licensee must not be accompanied by a person who is not licensed or is not listed in the license application.

**630.055. Suspension; Revocation.**

1. The city may suspend or revoke an identification card and/or license, using the procedure established in section 700.035, if the person who is the subject of the card, a person acting on behalf of the licensee, or the licensee has:
  - a. violated a provision of this section, or other local laws governing the same activity, during the license period;
  - b. violated a criminal law during the license period that adversely reflects on the ability to honestly, safely, or lawfully conduct the regulated activity; or
  - c. submitted false information or omitted material information in the licensing process required by this section.
2. If a license is revoked or suspended, all identification cards issued to people acting on behalf of the licensee are automatically revoked or suspended.

3. The identification card of any person convicted of violating a provision of this section is automatically revoked. The license of the organization on whose behalf the person was acting and all other identification cards issued to people acting on behalf of that licensee are also automatically revoked upon that conviction.

### **630.060. Penalty, Enforcement.**

1. A violation of a provision of this section is subject to the penalties established in section 1310.

2. The community development director, the chief of police, and their designees are authorized to enforce this ordinance. They may impound an identification card and license when a person has been found violating a provision of this section, when cause exists for suspending or revoking the identification card or license, or when the identification card or license has been suspended or revoked. When impounding a card or license, the official must send a notice to the licensee and the subject of the card at the address on the application form, giving the parties ten days to submit a written request for a hearing before the city council. Failure to timely request an appeal, constitutes a waiver of that appeal and results in an automatic suspension of the license or card for three years.

## **SECTION 1305. DEFINITIONS.**

### **1305.005. Definitions.**

1. Unless the context clearly indicates otherwise, the words and phrases below are defined for the purpose of this code as follows:

j. “Person” means a natural person of either sex, a firm, partnership, corporation, any other association of people, and includes the manager or agent of that person or organization.